



An
Bord
Pleanála

Board Direction
BD-007171-20
ABP-307694-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/12/2020.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Remove condition 38

Reasons and Considerations.

It is considered that condition number 38 attached to the permission granted under planning register reference number 19/6939 would fail to comply with the provisions of section 48(2)(c) of the Planning and Development Act, 2000, as amended, insofar as the planning authority has not demonstrated that the proposed development would result in the planning authority incurring specific exceptional infrastructural costs, which would not be covered by its General Development Contribution Scheme and which would benefit the proposed development. It is, therefore, considered that condition number 38 would not come within the scope of section 48(2)(c) of the Planning and Development Act, 2000, as amended and would, therefore, be inappropriate.

Board Member:

Date: 14/12/2020

Stephen Bohan